

Application/Control No.: 10/507,087  
Examiner: Bloodgood, R.F.

**REMARKS**

Applicant has amended the specification to insert section headings into the body of the specification. Therefore the Examiner's objection found in point 1 of the Office Action has been rendered moot.

Claims 1-15 were rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

Reconsideration is requested in view of this Amendment.

The claims have been revised to avoid each of the objections that have been raised by the Examiner. An antecedent basis has been provided in the claims, where necessary, and the improper use of the definite article "the" has been corrected. Every effort has been made to avoid any informality in the newly presented claims. For these reason, it is requested that this ground of rejection be withdrawn.

Claims 1-6 and 7 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vesbach in view of Ubelhart

Reconsideration is requested in view of this Amendment.

The substance of Claims 1, 2 and 3 has been combined by this Amendment into amended claim 1. Amended claim 1 points out a hydraulic lifting security door that has the lifting device inserted in a motorization container that is closed with position stops with a pin to which a pulley is journaled and positioned stops are formed from bent and shaped sheet. The door operator disclosed by Vesbach is a hydraulically operated door lifter that operates with an exposed hydraulic lifter and has no motorization container with a shaped profile that is closed at the sides by position stops fixed to the motorization container. These features are pointed out in claim 1 and in all of the independent claims

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The pulling device disclosed by Ubelhart is not hydraulically operated and it is only intended for use in the operation of window blinds. This is not seen as being an analogous art to the art of making hydraulic door lifters. There is no suggestion in either Vesbach or Ubelhart to sheet bent position stops as pointed out in amended claim 1. These sheet bent position stops allow for a distance adjustment between the stops and allow the use of a simplified mounting system. This arrangement is not shown or suggested by either Vesbach or Ubelhart when these references are considered alone or in combination. For these reasons, it is requested that this ground of rejection be withdrawn.

Claims 12 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Vesbach in view of Ubelhart and further in view of Beaudoin et al, (Beaudoin).

Reconsideration is requested.

Vesbach and Ubelhart have been distinguished from the claimed invention above. The Beaudoin patent is concerned with a cable failure device and provides no suggestion for the use of a motorization container in conjunction with a hydraulic door lifter. For these reasons, it is requested that this ground of rejection be withdrawn.

Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Vesbach in view of Ubelhart and further in view of Moreau..

Reconsideration is requested.


The Vesbach and Ubelhart have been distinguished from the claimed invention above as not suggesting the concept of a motorization container for a hydraulic door lifter. The Moreau patent discloses a curtain for ventilating a livestock barn. While this patent discloses an emergency rolling or unrolling system that is powered by a portable hand drill having a "long-shank shepherd's crook", it does not suggest using such a device for raising or lowering a hydraulic door. For these reasons, it is requested that this ground of rejection be withdrawn.

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. The Examiner is thanked for his courtesy in indicating that claims 8-10 and 14 contained allowable subject matter. Claim 8 has been rewritten as new claim 16 which includes the subject matter of claims 1, 6, 7 and 8. Claim 16 has been drafted to provide a proper antecedent basis for each term and to avoid any term that is indefinite. New claim 17 is claim 14 in independent form by combining claims 1, 12, 13 and 14. Claims 9 and 10 have been made directly or indirectly dependent on new claim 16. For these reasons, claim 9, 10 16 and 17 are in condition for allowance.

An early and favorable action is earnestly solicited.

Respectfully Submitted,

  
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